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F. #2003R00759

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U.S. DISTRICT COURT E.D.N.Y.

★SEPT 15 2005★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

- - - - -X

UNITED STATES OF AMERICA

CONSENT ORDER OF  
FORFEITURE

- against -

05 CR 0442 (JG)

ROBERT FERRAMOSCA,

Defendant.

- - - - -X

WHEREAS, in the above-captioned case, the defendant consents to the entry of a forfeiture money judgment in the amount of three hundred five thousand, four hundred eighty nine dollars and no cents (\$305,489.00) in United States currency ("Forfeiture Money Judgment"), pursuant to 18 U.S.C. § 981(a)(1)(C), 21 U.S.C. § 853(p) and 28 U.S.C. § 2461, as property which constitutes or is derived from proceeds traceable to an offense, or a conspiracy to commit an offense constituting a specified unlawful activity, as defined in 18 U.S.C. § 1956(c)(7), to wit, 18 U.S.C. § 666, and/or as substitute assets; and

WHEREAS, on or about September 14, 2005, the defendant entered a plea of guilty to Count One of the above-captioned Indictment, charging a violation of 18 U.S.C. § 371, to wit, conspiracy to violate 18 U.S.C. § 666;

c/m

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, on consent, by and between the United States and the defendant as follows:

1. The defendant shall forfeit to the United States the full amount of the Forfeiture Money Judgment, pursuant to 18 § U.S.C. 981(a)(1)(C), 21 U.S.C. § 853(p) and 28 U.S.C. § 2461.

2. The defendant agrees to fully assist the government in effectuating the payment of the Forfeiture Money Judgment and to take whatever steps are necessary to ensure full payment of the Forfeiture Money Judgment.

3. The defendant agrees to make one payment to satisfy in full the Forfeiture Money Judgment on or before November 14, 2005, or, in the event the defendant is sentenced before November 14, 2005, on or before the date of sentencing. Such payment shall be made by certified or bank check, payable to the "United States Marshals Service." The defendant shall cause said check to be sent by overnight air express delivery to Assistant United States Attorney Laura Mantell, United States Attorney's Office, Eastern District of New York, 1 Pierrepont Plaza, Brooklyn, New York 11201, with the criminal docket number noted on the face of the check.

4. The United States Marshals Service shall publish notice of this Consent Order, in accordance with the custom and practice in this district, in a newspaper of general

circulation and of its intent to dispose of the subject assets in such a manner as the Attorney General or his designee may direct.

5. The defendant agrees not to assert any claim or assist any other person to assert any claim to any of the monies used towards the payment of the Forfeiture Money Judgment pursuant to this Consent Order in any administrative or judicial proceeding. The defendant knowingly and voluntarily waives his right to any required notice concerning the forfeiture of the assets and monies forfeited hereunder. The defendant further knowingly and voluntarily waives his right, if any, to a jury trial on the forfeiture of the assets and monies forfeited hereunder, and waives any and all defenses to the forfeiture described in this Consent Order, including, but not limited to, defenses based on double jeopardy, ex post facto application of any applicable statute, any applicable statute of limitations, or the Excessive Fines Clause of the Eighth Amendment.

6. The terms contained herein shall be final and binding only upon the Court's "so ordering" of this Consent Order.

7. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Consent Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment. This Consent Order shall

become the Final Order of Forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2).

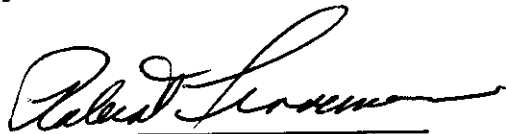
8. The United States alone shall hold title to the monies paid by the defendant to satisfy the Forfeiture Money Judgment following the Court's entry of the judgment of conviction.

9. This Consent Order shall be binding upon the defendant and the successors, administrators, heirs, assigns and transferees of the defendant, and shall survive the bankruptcy of any of them.

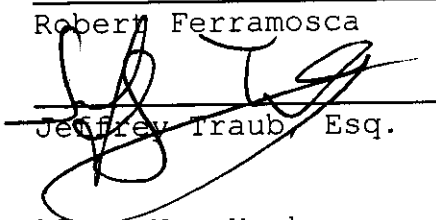
10. The Court shall retain jurisdiction over this action to enforce compliance with the terms of this Consent Order.

11. The Clerk of the Court is directed to send, by inter-office mail, five certified copies of this executed Consent Order to Assistant United States Attorney Laura D. Mantell, United States Attorney's Office, Eastern District of New York, 147 Pierrepont Street, Brooklyn, New York 11201.

Signed:



Robert Ferramosca



Jeffrey Traub, Esq.

Dated: Brooklyn, New York  
September 14, 2005

s/John Gleeson

HONORABLE JOHN GLEESON  
UNITED STATES DISTRICT JUDGE